

REMARKS

Claims 12-24 are currently pending in this application. In the Office Action dated August 8, 2005, the Examiner withdrew claims 19-22 from consideration. With this Reply, Applicant amends claims 12 and 17 and amends figure 4 on drawing sheet page 2 of 7, as illustrated in the attached replacement drawing sheet.

In the Office Action, the Examiner rejected claims 12-18 and 23-24 under 35 U.S.C. § 112, first ¶, as failing to comply with the written description requirement; rejected claims 12-18 and 23-24 under 35 U.S.C. § 112, first ¶, as failing to comply with the enablement requirement; objected to the drawings under 37 CFR § 1.83(a), stating that the drawings must show every feature of the invention specified in the claims, including the propellant charges and the propellant igniters; objected to the drawings under 37 CFR § 1.83(a) because numerical indicators 52, 53, and 45 are not illustrated; and rejected claims 12-18 under 35 U.S.C. § 112, second ¶, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner rejected claims 12-18 and 23-24 under 35 U.S.C. § 112, first ¶, as failing to comply with the written description requirement and the enablement requirement. More specifically, the Examiner contends that language such as "ignite the propellant charges," as recited in claim 12, and "loaded with a propellant charge," as recited in claim 17, lack sufficient support in the specification. Applicant respectfully disagrees with the Examiner's rejection of claims 12-18 and 23-24 on this basis and directs the Examiner's attention to page 6, line 5 - page 7, line 9. However, with this Reply, in order to further the prosecution of these claims, Applicant amends figure 4 of this application to include propellant charges and propellant igniters. Support for the

inclusion of these structures in figure 4 can be found at page 6, lines 15-23 and page 7, lines 1-9, for example. Therefore, Applicant asserts that the amendment to figure 4 to include “propellant charges” and “propellant igniters,” providing additional support for claims containing these limitations, renders moot the Examiner’s rejection of claims 12-18 and 23-24 under 35 U.S.C. § 112, first ¶. Accordingly, Applicant respectfully requests that the Examiner withdraw these rejections and allow these claims.

The Examiner objected to the drawings under 37 CFR § 1.83(a) indicating that the propellant charges and propellant igniters “must be shown or the features canceled from the claims” (Office Action at 4), and because numerical indicators 52, 53, and 45 are not illustrated. With this Reply, Applicant amends figure 4 to include propellant charges and propellant igniters. Accordingly, the Examiner’s objections on this basis are moot and Applicant respectfully requests that the Examiner withdraw these objections. Moreover, concerning the Examiner’s additional objection to the drawings, because numerical indicators 52, 53, and 45 are not illustrated, Applicant points out that numerical indicators 52 and 53 were removed from this application in amendments to the specification included in the Preliminary Amendment filed on March 2, 2004, in this case. Further, numerical indicator 45 is illustrated in both figures 4 and 5 in this application, as illustrated on replacement drawing sheet page 2 of 7, and in fact, numerical indicator 45 was illustrated in each of these figures prior to the amendments to the drawings made in this Reply. Accordingly, the Examiner’s objections on this basis are moot and Applicant respectfully requests that the Examiner withdraw the objections to the drawings in this application.

The Examiner also rejected claims 12-18 under 35 U.S.C. § 112, second ¶, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With this Reply, Applicant amends independent claims 12 and 17 to cure the asserted deficiencies in these claims. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejections to claims 12-18 and allow these claims.

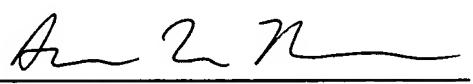
In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of all pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 8, 2005

By: 

Aaron L. Parker
Reg. No. 50,785

Attachments: One Replacement Sheet [Drawing page 2/7, Figs. 3, 4, and 5]

AMENDMENTS TO THE DRAWINGS:

Please replace formal drawing page 2/7, which includes Figs. 3, 4, and 5, with the attached replacement drawing sheet.

Attachment: One Replacement Sheet [Drawing page 2/7, Figs. 3, 4, and 5]